

State of Wisconsin


LEGISLATIVE REFERENCE BUREAU


RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**


Date Transfer Requested: 04/20/2009


(Per: CMH)


Compile Draft – Appendix **D** ... Part 01 of 02


A  The 2009 drafting file for
LRB-2519


E  The 2009 drafting file for
LRB-2680


B  The 2009 drafting file for
LRB-2551

F  The 2009 drafting file for
LRB-2686

C  The 2009 drafting file for
LRB-2566

G  The 2009 drafting file for
LRB-2687

D  The 2009 drafting file for
LRB-2522

H  The 2009 drafting file for
LRB-2556 (as an insert)

2009 LRB-2522 has been copied/added to the drafting file for

2009 LRB-2697

2009 DRAFTING REQUEST**Bill**Received: **04/01/2009**Received By: **btradewe**Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**By/Representing: **Miner**This file may be shown to any legislator: **NO**Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Miner, ARRA06 -

Topic:

Clean water fund and safe drinking water changes

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/P1	btradewe 04/10/2009	kfollett 04/14/2009	rschluet 04/14/2009	_____	cduerst 04/14/2009		S&L
/1	btradewe 04/15/2009	kfollett 04/15/2009	jfrantze 04/15/2009	_____	lparisi 04/15/2009		S&L
/2	btradewe 04/15/2009	nnatzke 04/15/2009	mduchek 04/15/2009	_____	mbarman 04/16/2009		S&L

LRB-2522

04/20/2009 11:19:15 AM

Page 2

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3	btradewe 04/16/2009	nnatzke 04/16/2009	phenry 04/16/2009	_____	cduerst 04/16/2009		S&L
/4	btradewe 04/20/2009	kfollett 04/20/2009	phenry 04/20/2009	_____	lparisi 04/20/2009		

FE Sent For:

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LRB-2522

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Page 2

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LRB-2522

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Page 2

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MD
4/15/09

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/?	btradewe	1P/15f 4/14	4/14 RS	4/14			
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FE Sent For:

<END>

PH/MS

Tradewell, Becky

From: Miner, Andrew - DOA [Andrew.Miner@Wisconsin.gov]
Sent: Wednesday, April 01, 2009 9:31 AM
To: Tradewell, Becky
Cc: Steinmetz, Jana D - DOA
Subject: statutory language request: CWF/SDWF changes related to ARRA

Hi Becky,

This is an initial statutory language request regarding statutory changes needed to implement funding received under ARRA for the Clean Water Fund and Safe Drinking Water Fund Programs. We were told that we could just send these via email. These represent the minimum changes that are sure to be needed. There will likely be other changes based on policy decisions yet to be made. We hope to have an answer to these soon; however, I wanted to get this request to you to get started.

1. Increase the present value subsidy for the clean water fund program by \$103,289,300.
2. Increase the present value subsidy for the safe drinking water fund program by \$36,520,300.
3. Authorize funds received from ARRA for the clean water fund and safe drinking water fund programs to be distributed as grants.

Please let me know if you have any questions. Thanks,
Andrew

*Andrew Miner
Agriculture, Environment and Justice
Wisconsin State Budget Office
(608) 266-1103*

04/01/2009

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

11/1/09 Michael Wolff -

1. The present value subsidy could either be set forth separately for the ARRA or this could be added to the budget amount by budget amendment after this passes. He thinks they must obligate this \$ this biennium.
2. They want to be able to provide this \$ as grants or loans so the draft needs to notwithstanding all of the requirements for hardship assistance for clean water fund and notwithstanding the interest rates for both clean water fund and safe drinking water fund. They could decide whether to provide grants or loans. Any other direction about how to decide who gets \$ and whether grants or loans has not been decided.
I mentioned issue of delegation of legislative intent.

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

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Library (608-266-7040)

Legal (608-266-3561)

LRB

4/1/09 (p.m.) Michael Wolff (DOA) + Bob Rowhater (DNR)

1. They will be sending revised (higher) dollar amounts for the present value.

2. There is an application deadline in s. 28161(5). IF there aren't enough applications to use all of the PY by the deadline, they need to be able to accept & fund additional applications.

Pat

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For an additional amount for "Leaking Underground Storage Tank Trust Fund Program", \$200,000,000, which shall be for cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act: *Provided*, That none of these funds shall be subject to cost share requirements under section 9003(h)(7)(B) of such Act: *Provided further*, That the Administrator may retain up to 1.5 percent of the funds appropriated herein for management and oversight purposes.

STATE AND TRIBAL ASSISTANCE GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "State and Tribal Assistance Grants", \$6,400,000,000, which shall be allocated as follows:

(1) \$4,000,000,000 shall be for capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act and \$2,000,000,000 shall be for capitalization grants under section 1452 of the Safe Drinking Water Act: *Provided*, That the Administrator may retain up to 1 percent of the funds appropriated herein for management and oversight purposes: *Provided further*, That funds appropriated herein shall not be subject to the matching or cost share requirements of sections 602(b)(2), 602(b)(3) or 202 of the Federal Water Pollution Control Act nor the matching requirements of section 1452(e) of the Safe Drinking Water Act: *Provided further*, That the Administrator shall reallocate funds appropriated herein for the Clean and Drinking Water State Revolving Funds (Revolving Funds) where projects are not under contract or construction within 12 months of the date of enactment of this Act: *Provided further*, That notwithstanding the priority rankings they would otherwise receive under each program, priority for funds appropriated herein shall be given to projects on a State priority list that are ready to proceed to construction within 12 months of the date of enactment of this Act: *Provided further*, That notwithstanding the requirements of section 603(d) of the Federal Water Pollution Control Act or section 1452(f) of the Safe Drinking Water Act, for the funds appropriated herein, each State shall use not less than 50 percent of the amount of its capitalization grants to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans or grants or any combination of these: *Provided further*, That, to the extent there are sufficient eligible project applications, not less than 20 percent of the funds appropriated herein for the Revolving Funds shall be for projects to address green infrastructure, water or energy efficiency improvements or other environmentally innovative activities: *Provided further*, That notwithstanding the limitation on amounts specified in section 518(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the funds appropriated herein for the Clean Water State Revolving Funds may be reserved by the Administrator for tribal grants under section 518(c) of such Act: *Provided further*, That up to 4 percent of the funds appropriated herein for tribal set-asides under the Revolving Funds may be transferred to the Indian

H. R. 1—56

Health Service to support management and oversight of tribal projects: *Provided further*, That none of the funds appropriated herein shall be available for the purchase of land or easements as authorized by section 603(c) of the Federal Water Pollution Control Act or for activities authorized by section 1452(k) of the Safe Drinking Water Act: *Provided further*, That notwithstanding section 603(d)(2) of the Federal Water Pollution Control Act and section 1452(f)(2) of the Safe Drinking Water Act, funds may be used to buy, refinance or restructure the debt obligations of eligible recipients only where such debt was incurred on or after October 1, 2008;

(2) \$100,000,000 shall be to carry out Brownfields projects authorized by section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980: *Provided*, That the Administrator may reserve up to 3.5 percent of the funds appropriated herein for management and oversight purposes: *Provided further*, That none of the funds appropriated herein shall be subject to cost share requirements under section 104(k)(9)(B)(iii) of such Act; and

(3) \$300,000,000 shall be for Diesel Emission Reduction Act grants pursuant to title VII, subtitle G of the Energy Policy Act of 2005: *Provided*, That the Administrator may reserve up to 2 percent of the funds appropriated herein for management and oversight purposes: *Provided further*, That none of the funds appropriated herein for Diesel Emission Reduction Act grants shall be subject to the State Grant and Loan Program Matching Incentive provisions of section 793(c)(3) of such Act.

ADMINISTRATIVE PROVISION, ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFERS OF FUNDS)

Funds made available to the Environmental Protection Agency by this Act for management and oversight purposes shall remain available until September 30, 2011, and may be transferred to the "Environmental Programs and Management" account as needed.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for "Capital Improvement and Maintenance", \$650,000,000, for priority road, bridge and trail maintenance and decommissioning, including related watershed restoration and ecosystem enhancement projects; facilities improvement, maintenance and renovation; remediation of abandoned mine sites; and support costs necessary to carry out this work.

WILDLAND FIRE MANAGEMENT

For an additional amount for "Wildland Fire Management", \$500,000,000, of which \$250,000,000 is for hazardous fuels reduction, forest health protection, rehabilitation and hazard mitigation activities on Federal lands and of which \$250,000,000 is for State and private forestry activities including hazardous fuels reduction,



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-2522/P1

RCT...

SOON (in 4/10)

DOA:.....Miner - Clean water fund and safe drinking water changes

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

Don't Gen

AN ACT ...; relating to: financial assistance under the Clean Water Fund Program and the Safe Drinking Water Loan Program.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

X Under the Clean Water Fund Program, this state provides financial assistance for projects for controlling water pollution, including sewage treatment plants, using state and federal funds. One form of financial assistance provided under the Clean Water Fund Program is a loan at a subsidized interest rate. The law specifies the interest rates at which loans are provided. The Clean Water Fund Program also provides grants to municipalities that satisfy financial hardship criteria. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Clean Water Fund Program during that fiscal biennium. Current law prohibits applications from being approved and funds from being expended for Clean Water Fund Projects in a fiscal biennium before the budget bill is enacted.

* The federal American Recovery and Reinvestment Act (ARRA) provides funds for state programs like the Clean Water Fund Program. This bill authorizes those funds received by this state to be expended under the Clean Water Fund Program. The bill allows the funds to be provided as loans at interest rates that may differ from the rates provided under current law. The bill also allows the funds to be provided as grants, without regard to the financial hardship criteria. The bill allows

applications to be approved and funds to be expended before the budget bill is enacted. ✓

Under the Safe Drinking Water Loan Program, this state provides loans to local governmental units for projects for the construction or modification of public water systems, using state and federal funds. The loans are provided at subsidized interest rates. The law specifies the interest rates at which loans are provided. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Safe Drinking Water Loan Program during that fiscal biennium. Current law prohibits applications from being approved and funds from being expended for safe drinking water projects in a fiscal biennium before the budget bill is enacted.

* The ARRA provides funds for state programs like the Safe Drinking Water Loan Program. This bill authorizes those funds received by this state to be expended under the Safe Drinking Water Loan Program. The bill allows the funds to be provided as loans at interest rates that may differ from the rates provided under current law. The bill also allows the funds to be provided as grants. The bill allows applications to be approved and funds to be expended before the budget bill is enacted.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 9137. Nonstatutory provisions; Natural Resources.

(1) AMERICAN RECOVERY AND REINVESTMENT ACT FUNDING FOR CLEAN WATER FUND PROJECTS. ✓

* (a) If this state receives moneys under P.L. 111-5 as a capitalization grant for clean water state revolving loan funds under the federal Water Pollution Control Act, the department of natural resources and the department of administration may, as provided in this subsection, ✓ allocate the funds, before July 1, 2011, for financial assistance to municipalities under section 281.58 of the statutes for projects eligible ✓ to receive financial assistance under that section. ✓

(b) Notwithstanding sections 281.58 (9m) (c) and 281.59 (3e) (a) of the statutes, ✓ applications may be approved and funds may be allocated and expended for projects ✓

under this subsection before the 2009-11 biennial budget act is enacted. The amount of present value of the subsidy for financial assistance provided under this subsection equals \$103,289,300. This is in addition to any amounts specified under section 281.59 (3e) (b) of the statutes.

(c) The department of natural resources and the department of administration may provide financial assistance under this subsection in the form of grants or loans. Eligibility for grants under this subsection is not limited to municipalities eligible under section 281.58 (13) of the statutes. Loans under this subsection may be provided at rates that differ from the rates under section 281.58 (12) of the statutes.

(2) AMERICAN RECOVERY AND REINVESTMENT ACT FUNDING FOR SAFE DRINKING WATER PROJECTS.

X (a) If this state receives moneys under P.L. 111-5 as a capitalization grant *← create auto ref* for under the federal Safe Drinking Water Act, the department of natural resources and the department of administration may, as provided in this subsection, obligate the funds before July 1, 2011, for financial assistance to local governmental units under section 281.61 of the statutes for projects eligible to receive financial assistance under that section.

(b) Notwithstanding sections 281.59 (3s) (a) and 281.61 (7) (c) of the statutes, applications may be approved and funds may be allocated and expended for projects under this subsection before the 2009-11 biennial budget act is enacted. The amount of present value of the subsidy for financial assistance provided under this subsection equals \$36,520,300. This is in addition to any amounts specified under section 281.59 (3s) (b) of the statutes.

(c) The department of natural resources and the department of administration may provide financial assistance under this subsection in the form of grants or loans,

notwithstanding section 281.60 (2r) of the statutes. Loans under this subsection may
be provided at rates that differ from the rates under section 281.61 (11) of the
statutes. If the department of natural resources has not received sufficient
applications by the deadline under section 281.61 (5) of the statutes to use all of the
funds described in paragraph (b), it may waive the deadline.

a.f. ↑ (END)

Tradewell, Becky

From: Wolff, Michael - DOA [michael.wolff@wisconsin.gov]
Sent: Wednesday, April 15, 2009 12:07 PM
To: Tradewell, Becky
Cc: Steinmetz, Jana D - DOA; Miner, Andrew - DOA; Kraus, Jennifer - DOA
Subject: Changes to 2522/P1
Attachments: Principal forgiveness language from guidance.doc

Becky – a few modifications to the first draft of the EIF ARRA bill

- ✓1. The ARRA mandates that at least 50% of the funds granted to the state for the CW and DW SRF be used for "additional subsidization" to borrowers. That can be in the form of grants, principal forgiveness, or negative interest rates. See attached for further explanation. We would like to preserve the ability to use any one of these (and in fact we'll probably avoid grants since they trigger a host of federal 'sub-grantee' requirements).
- ✓2. For purposes of projects funded wholly or partly with ARRA funds we need relief from the Intent to Apply requirements in 281.58 (8m) and 281.61(3) unless you recommend we rely on the ability to waive found in each of those sections. *- Just relief from the deadline*
- ✓3. in 281.61 (5) we'd like permissive language allowing but not requiring DNR to extend DW application deadline language for projects wholly or partly funded with ARRA funds. *Already there.*
- ✓4. The DNR would also like the authority to take into account 1) readiness to proceed, 2) geographic distribution, 3) county unemployment rate, and 4) "green-ness" of projects (EPA has four categories within their green infrastructure reserve guidance: water efficiency, energy efficiency, environmentally innovative, and other projects that result in environmentally beneficial, restorative or preventative water-quality-based activities) when deciding which projects get funded with ARRA funds (again, in whole or in part).

Thanks. Call with any questions.

Michael D Wolff
Finance Programs Administrator
State of Wisconsin
Department of Administration
101 East Wilson Street 10th floor
Madison WI 53703
608.267.2734 608.266.7645
michael.wolff@wi.gov

04/15/2009

The ARRA contains the following requirement:

“Provided further, That notwithstanding the requirements of section 603(d) of the Federal Water Pollution Control Act or section 1452(f) of the Safe Drinking Water Act, for the funds appropriated herein, each State shall use not less than 50 percent of the amount of its capitalization grants to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants, or any combination of these.”

1. Eligible Assistance Recipients

Any eligible recipient of assistance from a State Revolving Fund is eligible for additional subsidization.

2. Eligible Activities

Any activity eligible for assistance from a State Revolving Fund is eligible for additional subsidization.

3. Eligible Forms of Assistance

a. Principal Forgiveness

A State SRF may provide assistance in the form of principal forgiveness. Principal forgiveness must be granted at the execution of the loan agreement for the amount forgiven to be counted against the total required to be provided as additional subsidization. The amount counted against the requirement is the amount forgiven, regardless of the interest rate.

b. Negative-Interest Loans

A State SRF may provide assistance in the form of negative-interest loans. A negative-interest loan is a loan for which the rate of interest is such that the total payments over the life of the loan is less than the principal of the loan. The negative-interest rate must be included in the loan agreement at the time of execution to be counted against the total required to be provided as additional subsidization. The amount counted against the requirement is the difference between the principal of the loan and the total payments expected over the life of the loan.

c. Grants

A State SRF may provide assistance in the form of a grant. The grant must be provided at the time of assistance agreement execution to be counted against the total required to be provided as additional subsidization. The amount counted against the requirement is the total grant amount included in the agreement.

Tradewell, Becky

From: Wolff, Michael - DOA [michael.wolff@wisconsin.gov]
Sent: Wednesday, April 15, 2009 1:18 PM
To: Tradewell, Becky
Subject: DNR comments
Importance: High

Becky – I think we covered the first dot-point below, and 2 and 3 are self-explanatory. 4 is just a correction to the dollar amounts.

Thanks,

Michael

Michael D Wolff
Finance Programs Administrator
State of Wisconsin
Department of Administration
101 East Wilson Street 10th floor
Madison WI 53703
608.267.2734 608.266.7645
michael.wolff@wi.gov

From: Cargill, Jeanne H - DNR
Sent: Wednesday, April 15, 2009 1:08 PM
To: Wolff, Michael - DOA
Subject: RE: More
Importance: High

- ✓ We feel we need the following added:
- ✓ • Language to change the deadline for submitting notice of intent to apply rather than using the waiving provision. We suggest something like "a municipality shall submit notice to the department of its intent to apply for financial assistance under this section no later than the application deadline established by the department."
 - ✓ • The ability to establish an application deadline for the CWFP. Something like "The department may establish a deadline by which applicants must submit applications for financial assistance under this section."
 - ✓ • The ability to establish a cap on the amount of economic stimulus funds that will go to any one municipality. The department/governor's office may want to set the cap lower than what is currently in statute for the regular loan funds.
 - ✓ • The dollar amounts in /1 should be \$105,948,300 for the CWFP and \$37,750,000 for the SDWLP.

Jeanne H Cargill

Financial Assistance Specialist
Environmental Loans Section
Bureau of Community Financial Assistance
Wisconsin Department of Natural Resources
(☎) phone: (608) 267-7587
(☎) fax: (608) 267-0496
(✉) e-mail: jeanne.cargill@wisconsin.gov

04/15/2009



State of Wisconsin
2009 - 2010 LEGISLATURE

Wanted 3 p.m.

LRB-2522/1

RCT:kjfrs

VWY

DOA:.....Miner, ARRA06 - Clean water fund and safe drinking water changes

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ENVIRONMENT

Under the Clean Water Fund Program, this state provides financial assistance for projects for controlling water pollution, including sewage treatment plants, using state and federal funds. One form of financial assistance provided under the Clean Water Fund Program is a loan at a subsidized interest rate. The law specifies the interest rates at which loans are provided. The Clean Water Fund Program also provides grants to municipalities that satisfy financial hardship criteria. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Clean Water Fund Program during that fiscal biennium. Current law prohibits applications from being approved and funds from being expended for clean water fund projects in a fiscal biennium before the budget bill is enacted.

The federal American Recovery and Reinvestment Act (ARRA) provides funds for state programs like the Clean Water Fund Program. This bill authorizes those funds to be expended under the Clean Water Fund Program. The bill allows the funds to be provided as loans at interest rates that may differ from the rates provided under current law. The bill also allows the funds to be provided as grants, without

regard to the financial hardship criteria. The bill allows applications to be approved and funds to be expended before the budget bill is enacted.

Under the Safe Drinking Water Loan Program, this state provides loans to local governmental units for projects for the construction or modification of public water systems, using state and federal funds. The loans are provided at subsidized interest rates. The law specifies the interest rates at which loans are provided. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Safe Drinking Water Loan Program during that fiscal biennium. Current law prohibits applications from being approved and funds from being expended for safe drinking water projects in a fiscal biennium before the budget bill is enacted.

The ARRA provides funds for state programs like the Safe Drinking Water Loan Program. This bill authorizes those funds to be expended under the Safe Drinking Water Loan Program. The bill allows the funds to be provided as loans at interest rates that may differ from the rates provided under current law. The bill also allows the funds to be provided as grants. The bill allows applications to be approved and funds to be expended before the budget bill is enacted.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 9137. Nonstatutory provisions; Natural Resources.**

2 (1) AMERICAN RECOVERY AND REINVESTMENT ACT FUNDING FOR CLEAN WATER FUND
3 PROJECTS.

4 (a) If this state receives moneys under P.L. 111-5 as a capitalization grant for
5 clean water state revolving loan funds under the federal Water Pollution Control Act,
6 the department of natural resources and the department of administration may, as
7 provided in this subsection, allocate the funds, before July 1, 2011, for financial
8 assistance to municipalities under section 281.58 of the statutes for projects eligible
9 to receive financial assistance under that section.

10 (b) Notwithstanding sections 281.58 (9m) (c) and 281.59 (3e) (a) of the statutes,
11 applications may be approved and funds may be allocated and expended for projects
12 under this subsection before the 2009-11 biennial budget act is enacted. The amount

1 of present value of the subsidy for financial assistance provided under this
2 subsection equals ^{105,948,300}~~\$103,289,300~~. This is in addition to any amounts specified under
3 section 281.59 (3e) (b) of the statutes. *Insert 3-3*

4 (c) The department of natural resources and the department of administration
5 may provide financial assistance under this subsection in the form of grants or loans.
6 Eligibility for grants under this subsection is not limited to municipalities eligible
7 under section 281.58 (13) of the statutes. Loans under this subsection may be
8 provided at rates that differ from the rates under section 281.58 (12) of the statutes. *3-8a*

Insert 3-8b → (2) AMERICAN RECOVERY AND REINVESTMENT ACT FUNDING FOR SAFE DRINKING
10 WATER PROJECTS.

11 (a) If this state receives moneys under P.L. 111-5 as a capitalization grant
12 under the federal Safe Drinking Water Act, the department of natural resources and
13 the department of administration may, as provided in this subsection, obligate the
14 funds before July 1, 2011, for financial assistance to local governmental units under
15 section 281.61 of the statutes for projects eligible to receive financial assistance
16 under that section.

17 (b) Notwithstanding sections 281.59 (3s) (a) and 281.61 (7) (c) of the statutes,
18 applications may be approved and funds may be allocated and expended for projects
19 under this subsection before the 2009-11 biennial budget act is enacted. The amount
20 of present value of the subsidy for financial assistance provided under this
21 subsection equals ^{37,750,000}~~\$36,520,300~~. This is in addition to any amounts specified under
22 section 281.59 (3s) (b) of the statutes. *Insert 3-22*

23 (c) The department of natural resources and the department of administration
24 may provide financial assistance under this subsection in the form of grants or loans,
25 notwithstanding section 281.60 (2r) of the statutes. Loans under this subsection may

- 1 be provided at rates that differ from the rates under section 281.61 (11) of the
2 statutes. ^{Insert 4-2-A} ~~If~~ ^{Insert 4-2-B} the department of natural resources has not received sufficient
3 applications by the deadline under section 281.61 (5) of the statutes to use all of the
4 funds described in paragraph (a), it may waive the deadline.

5

(END)

Insert 4-4

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2522/1ins
RCT:.....

1 **Insert 3-3**

2 ~~not~~ *of natural resources* The department may establish a percentage limit on the amount of financial
3 assistance available under this subsection that may be received by any eligible
4 applicant.

5 **Insert 3-8a**

6 ~~not~~ , including negative interest rates that result in total payments that are less
7 than the principal amounts of the loans. A financial assistance agreement for a loan
8 under this subsection may provide for forgiveness of a portion of the principal
9 amount of the loan

10 **Insert 3-8b**

11 ~~(b)~~ The department of natural resources may establish a different deadline for
12 submitting notice of intent to apply for financial assistance for the purposes of this
13 subsection than the deadline in section 281.58 (8m) of the statutes. The department
14 may also establish a deadline for submitting applications for financial assistance
15 under this subsection.

16 ~~(b)~~ In determining which projects to provide financial assistance under this
17 subsection, the department of natural resources may consider any of the following:

18 1. Readiness of a project to proceed to construction.

19 2. The unemployment rate in the county in which a project is located.

20 3. The extent to which a project promotes water efficiency or energy efficiency;
21 is environmentally innovative; or uses natural systems or engineered systems that
22 mimic natural processes, also called green infrastructure.

23 4. The geographic distribution of projects.

1

2

3

Insert 3-22

4 *not* The department *of natural resources* may establish a percentage limit on the amount of financial
5 assistance available under this subsection *✓* that may be received by any eligible
6 applicant.

7

Insert 4-2-A

8 *not*, including negative interest rates that result in total payments that are less
9 than the principal amounts of the loans. a financial assistance agreement for a loan
10 under this subsection *✓* may provide for forgiveness of a portion of the principal
11 amount of the loan

12

Insert 4-2-B

13 ~~§~~ The department of natural resources may establish a different deadline for
14 submitting notice of intent to apply for financial assistance for the purposes of this
15 subsection than the deadline in section 281.61 (3) of the statutes. *not* *✓*

16

Insert 4-4

17 ~~§~~ *✓* In determining which projects to provide financial assistance under this
18 subsection, the department of natural resources may consider any of the following:

- 19 1. Readiness of a project to proceed to construction.
- 20 2. The unemployment rate in the county in which a project is located.
- 21 3. The extent to which a project promotes water efficiency or energy efficiency;
22 is environmentally innovative; or uses natural systems or engineered systems that
23 mimic natural processes, also called green infrastructure.
- 24 4. The geographic distribution of projects.

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

- 2522/1

4/15 Per Michael Wolff & Jean Cargill (DNR)

1. In (1)(e) 2. and (2)(e) 2. - change "county" to "area"

2. Allow DNR to waive the 30% limit in s. 281.58(3)(g) For projects funded under s. 281.58(13) [hardship]

RET